

1 and in the oral testimony of Janet Washington regarding these  
2 other individuals, what they said and what they did. They  
3 have failed to provide these other individuals to confirm that  
4 in fact they did and said these things. And what we are  
5 arguing is, is that these uncorroborated statements do not  
6 rise to a level of proof sufficient to meet the issues that  
7 were added in this proceeding.

8 JUDGE FRYSIK: Well, it sounds, it sounds to me  
9 like you're asking the applicant to prove a negative. No. In  
10 your request you did not indicate the importance of any of  
11 these, these requests. You simply named, for whatever purpose  
12 you thought it might be necessary. You did not indicate the  
13 necessity of it for the proceeding in question. So that you  
14 placed the onus on the applicant here without any justifica-  
15 tion. So that I'm going to stay with my ruling and put the  
16 onus on you. If you want to prove otherwise, you produce  
17 these witnesses.

18 MR. ZAUNER: But in, in the meantime, Your Honor,  
19 your, your ruling still stands that if Mrs. Washington has any  
20 documents concerning the allegations --

21 JUDGE FRYSIK: All, all my rulings stand.

22 MR. ZAUNER: Okay. Good. Okay. Mrs. Washington,  
23 I'm going to call your attention to --

24 JUDGE FRYSIK: By the way, just for further clari-  
25 fication, I don't mean to say that you have to present these

1 people in the hearing in present form. You may do this by way  
2 of deposition with an opportunity to the applicant to attend  
3 that deposition, and then offer the deposition as the -- by  
4 way of evidence. Do you understand what I'm saying?

5 MR. ZAUNER: I, I understand what you are saying.

6 MR. KELLY: It would be so-called trial, trial-type  
7 depositions.

8 JUDGE FRYSIK: Well -- do you have any objection to  
9 it --

10 MR. KELLY: No. I would not -- actually, I probably  
11 would not have an objection to that procedure, you know, if he  
12 goes to the trouble of subpoenaing them. You know, I think we  
13 could work it out, take the deposition and we can submit it.  
14 We'd be present. We'd object -- have any objections heard at  
15 the testimony -- if he wants to do it that way, I guess. I  
16 don't have anything to hide, because I don't know what I have  
17 to hide. But I, I think as I'm -- I, I think as I'm -- you  
18 know, I think -- well. I think when you rule --

19 JUDGE FRYSIK: And you're always entitled to make  
20 the appropriate motions when --

21 MR. ZAUNER: Mrs. Washington, I'm going to show you  
22 attachment 8, which is in page 45 of Mass Media Bureau  
23 Exhibit 1.

24 MR. KELLY: Attachment 8, Mr. Zauner?

25 MR. ZAUNER: Attachment 8, yes, and that's the

1 letter of September 9, 1992, Mr. Kelly.

2 MR. KELLY: Thank you.

3 MR. ZAUNER: Okay.

4 BY MR. ZAUNER:

5 Q Do you recall receiving a copy of this letter?

6 A Yes.

7 Q And could you tell us what you did when you received  
8 it?

9 A The first time that I received it I filed it. I  
10 looked at it and I filed it.

11 Q Did, did you read it? When you say you looked at  
12 it, did you read it?

13 A Um-hum.

14 Q Did you have any concern that the Federal  
15 Communications Commission was concerned that various  
16 Commission rules may have been violated?

17 A Well, no, actually, because H. E. Ferrell (inaudi-  
18 ble.) Pine Tree Media was a different corporation. We were  
19 Praise Media. I didn't know anything about this particular --  
20 all of this stuff because it happened before we got there,  
21 before we got into the building.

22 Q And so you never bothered responding in any way to  
23 this letter that was addressed to Pine Tree, Pine Tree Media,  
24 Inc.?

25 A No. Not at the time I received it, because we were

1 Praise, we were Praise Media, Inc.

2 Q You never attempted to communicate with the  
3 Commission even by a telephone call?

4 A I -- after I received the second letter --

5 Q Okay. Well, let's just take the first letter, one  
6 at a time. After you received this letter you didn't -- you  
7 just filed it?

8 A Right.

9 Q Let me turn to attachment 9, which is a letter,  
10 letter dated September 23, 1992. Do you recall receiving this  
11 letter?

12 A I'm not sure if I received this or if I read this.  
13 Perhaps I did. I can't be exact. Because my office manager  
14 goes to the Postal Service and she opens the mail when -- she  
15 opens the mail.

16 Q So you have no, no present recollection of, of  
17 receiving this letter?

18 A There's a possibility, but I, I really cannot be  
19 sure (inaudible) -- I'm not sure. (Inaudible.) I'm sure I  
20 would have responded.

21 JUDGE FRYSIK: You're sure of what?

22 WITNESS: I'm sure I would have responded to this if  
23 I had got this.

24 BY MR. ZAUNER:

25 Q Is that in fact -- I call your attention to the

1 address, KDOX Pine Tree Media. Is that the right call  
2 letters?

3 A It has been KLUE, KDOX, KLGW, and --

4 Q Then a series of call letters?

5 A That's correct.

6 Q Is the address correct, Post Office Box 7100,  
7 Longview, Texas, 75607?

8 A That's correct.

9 Q But in any, any case, to your knowledge, no reply  
10 was ever generated by the station to this letter?

11 A Let me --

12 Q Let me call your attention to a letter dated  
13 December 3, 1992, and that's attachment 10, and it was sent --  
14 let, let me go back -- the letter dated September 9, 1992,  
15 that was attachment 8, that was sent by certified mail return  
16 receipt requested. Did that cause you to think that the  
17 communication might have some urgency to it, the fact that it  
18 was received certified mail?

19 A Yes. It caused me to think that they perhaps was  
20 not aware that H. E. Ferrell was no longer there and that they  
21 were sending it to him and Pine Tree.

22 Q Now, on December 3rd you receive another certified  
23 mail return receipt requested letter addressed to Pine Tree  
24 Media, Inc., and this letter refers to the September 9th  
25 letter and indicates that the Commission has received no

1 response to its September 9th letter. And it also indicates  
2 the seriousness with which the Commission views such a failure  
3 to respond. What did you do with this letter when you re-  
4 ceived it?

5 A I believe this was at the time that I called Mr.  
6 Shook.

7 JUDGE FRYSIAK: What time?

8 WITNESS: When I received this letter I called Mr.  
9 Shook and told him that we had received that but it was ad-  
10 dressed to Pine Tree and not Praise Media.

11 BY MR. ZAUNER:

12 Q Did you file a written response to this letter?

13 A After -- I had several conversations with him and he  
14 said to me: well, you have to answer the questions and to  
15 answer them to the best of my knowledge. So, that's what I  
16 did.

17 Q Okay. Let me call your attention to attachment 11.  
18 Is attachment 11 your response to Mr. Shook? Is this what you  
19 sent to Mr. Shook in response to the two letters you had  
20 received from the Federal Communications Commission that we  
21 discussed, the September 9th letter and the December 3rd  
22 letter?

23 A Yes. This is some of the information. Yes.

24 Q Let me call your attention to attachment 12, and  
25 that's a letter dated February 10, 1993, and this letter

1 concerns questions concerning a possible transfer of control.

2 Did you respond to this letter in any form?

3 A I hired an attorney, which I have proof that I hired  
4 him, to -- at this time to respond to this.

5 Q And who was the attorney that you hired?

6 A His name is Kenneth Kilgore (phonetic sp.).

7 Q Is he a communications attorney or is he a local  
8 attorney in --

9 A Well, he --

10 Q -- Longview?

11 A -- was supposed to have been in communications and  
12 could handle this, but -- and, and I have the paper where he  
13 was retained, but he filed a wrong motion and didn't get to --  
14 I'm sure it's in Mr. Campbell's files. And if you will allow  
15 me to show you --

16 Q Sure.

17 A I guess I should bring my brief up here.

18 MR. ZAUNER: Your Honor, if I may, I'd like to  
19 withdraw the question.

20 JUDGE FRYSIK: All right.

21 MR. ZAUNER: I'm going to withdraw the question, so  
22 there's no need for you to, to hunt for it.

23 WITNESS: Okay.

24 MR. ZAUNER: I'm going to go on to attachment number  
25 13 and just ask you is that your signature on the second page

1 --

2 WITNESS: Yes, sir.

3 MR. ZAUNER: -- page 85 on the exhibit?

4 WITNESS: Yes.

5 MR. ZAUNER: Perhaps I should have done that.

6 JUDGE FRYSIK: 85?

7 MR. ZAUNER: Yes. Your page numbers, it seems, are  
8 a little bit different than -- it would be attachment 13 to --  
9 (Pause.)

10 MR. ZAUNER: Your Honor, maybe this -- before I  
11 forget, would it be permissible for us after this hearing is  
12 over to compare your set with our set and make any changes so  
13 that your set conforms with what the court reporter has?

14 JUDGE FRYSIK: Well, I would appreciate -- why  
15 don't you give me your complete set and then I will note my  
16 own changes?

17 MR. ZAUNER: Okay. That would be fine. It seems  
18 you've got the same things but in some -- the paging is a  
19 little different.

20 JUDGE FRYSIK: I made my own notations. I don't  
21 want to give them up.

22 MR. ZAUNER: I -- yeah, I think there must have been  
23 a mistake in putting yours together.

24 JUDGE FRYSIK: You give them the set that the  
25 reporter has. Okay?



1 MR. ZAUNER: Okay.

2 JUDGE FRYSIK: And then I will take over from  
3 there.

4 MR. ZAUNER: Okay. We will give you one of the  
5 reporter's sets to, to --

6 JUDGE FRYSIK: Okay. Fine.

7 MR. ZAUNER: I'm going to show you a copy of Mass  
8 Media Bureau Exhibit 2, which is a set of admissions of fact  
9 and genuineness of documents. Did you work with your counsel  
10 in preparing the answers to the -- well, not the answers, but  
11 the Admissions of Fact and Genuineness of Documents?

12 WITNESS: Yes.

13 MR. ZAUNER: The answer is yes? Okay, thank you.  
14 At this point, I want to call your attention to Mass Media  
15 Bureau Exhibit No. 4, which is a letter dated January 20th.  
16 It's addressed to Alan C. Campbell. Have you ever seen a copy  
17 of this letter?

18 MR. KELLY: I'm sorry, counsel. What -- can you  
19 tell me where that letter is in, in your -- in --

20 MR. ZAUNER: It should be Mass Media Bureau  
21 Exhibit 4.

22 MR. KELLY: Okay. Oh, that's the, the January 20,  
23 1995, letter?

24 MR. ZAUNER: That is correct.

25 MR. KELLY: Thank you.

1 JUDGE FRYSIAK: Your attorney -- he may -- mine --  
2 mine is not attached to the folder you gave me.

3 MR. ZAUNER: It may have come in later. It would be  
4 a recent --

5 MR. KELLY: I know what the letter looks like, yes.  
6 I get them all the time --

7 BY MR. ZAUNER:

8 Q Have you seen a copy of this letter before?

9 A Yes.

10 Q When did you first see this letter?

11 A Mr. Campbell faxed me a copy, and then after that I  
12 received, I received a copy in the mail.

13 Q Have you ever responded to that letter?

14 A I've sent this already.

15 Q Pardon?

16 A Yes, I know this party.

17 Q You mailed in the Anti-Drug Abuse Act

18 Certification --

19 A Yes.

20 Q -- portion?

21 A Yes, sir.

22 Q Have you ever verified that the station was cur-  
23 rently operating under the specifications of the station's  
24 license or taking other action in response?

25 A No, I haven't verified any --

1           Q     It says -- the letter says that "further, the li-  
2 censee must demonstrate in their request that all steps to  
3 resume normal operation are being undertaken in an expeditious  
4 and timely fashion." Have you responded in any way to the  
5 Commission's inquiry by providing that information?

6           A     Well, I discussed it with Mr. Campbell and at this  
7 time I was in search for another communications attorney, so I  
8 wasn't sure how I should respond to this.

9           Q     So, as of this date this letter has not been re-  
10 sponded to other than --

11          A     I had --

12          Q     -- the fact that you sent in the, the drug certifi-  
13 cation, the Anti-Drug Abuse Act Certification --

14          A     That's correct.

15          Q     -- correct?

16          A     That's correct.

17                 JUDGE FRYSIK: Want to take a short break?

18                 MR. ZAUNER: If we may, Your Honor. I think I'm  
19 close to conclusion. I'd just like to review my notes and see  
20 if --

21                 MR. KELLY: All right. Could I have ten -- could we  
22 make it ten minutes? I need to make a couple of copies of  
23 something. I'm going to go downstairs to the place --

24                 JUDGE FRYSIK: All right.

25                 (Whereupon, a short break ensued.)

1 JUDGE FRYSIK: Back on the record.

2 BY MR. ZAUNER:

3 Q Well, just two very short matters that I, I wanted  
4 to cover that I, I didn't. One is, you indicated yesterday  
5 that you had brought suit against Mr. Birdsong?

6 A I haven't actually put that into -- it has been  
7 discussed.

8 Q Okay. So, so no, no suit has actually been filed  
9 yet?

10 A No.

11 Q You indicated yesterday that, if my, my recollection  
12 is correct, that you did not know the reason why Eugene  
13 Washington was incarcerated. Is that correct?

14 A I don't know the exact reason. The extent of the  
15 details I do not know.

16 Q Do you know generally what, what the charge was?

17 A A drug conspiracy, wire-tapping or something of that  
18 nature.

19 Q Do you know when he was incarcerated?

20 A I really don't know the exact date that happened.

21 Q Do you know what year?

22 A It was last year.

23 Q 1994?

24 A Yes.

25 Q And he's presently incarcerated?

1 A That's correct.

2 Q Do you know when he will be released?

3 A No.

4 Q Is he in for a long period of time?

5 A I can't answer those questions because I don't know  
6 them.

7 MR. KELLY: I would note for the record, Your Honor,  
8 that the case number of Mr. Washington is in our exhibits.  
9 Counsel, counsel I think can check that, if they choose to do  
10 that.

11 BY MR. ZAUNER:

12 Q Do you know where -- let me withdraw that. You, you  
13 testified that Mr. Washington has provided you with sums of  
14 money over the years. Do you know where he obtained that  
15 money from?

16 A I would think from his meat company.

17 Q From his what company?

18 A Meat company.

19 Q Meat?

20 A I, I, I cannot answer that. I think he has had some  
21 rental properties and Shabazz Meats and a mail-order company,  
22 so I wouldn't know where he got his money from.

23 MR. ZAUNER: Your Honor, the Bureau has no further  
24 questions.

25 MR. KELLY: I just have a couple of matters, Your

1 Honor, and we would be finished. The first is to -- and I  
2 have previously handed two -- and the court reporter was nice  
3 enough to make a couple of copies of Praise No. 8 for the  
4 record, and give one to the Bureau and this -- and one to Your  
5 Honor, and this was the exhibit you rejected, but this is for  
6 the record. Thank you.

7           The second matter, and I have made copies and the  
8 Bureau counsel were courteous enough to accommodate me --  
9 these are not stapled, and after we finish I will go get them  
10 stapled. I'll hand two copies to the court reporter and Your  
11 Honor. This is the Power of Attorney of which there has been  
12 some testimony. And I would ask that this be marked for  
13 identification -- our next number, 12?

14           JUDGE FRYSIK: Yes.

15           MR. KELLY: That document, which consists of four  
16 pages, one of which -- which is actually -- it's actually --  
17 the original was three pages. On the back of the first page  
18 is the -- is a computer-generated stamp of the Cook County,  
19 Illinois, Recorder's Office. And I would like this marked as  
20 Praise No. 12, please.

21           JUDGE FRYSIK: It may be marked.

22                               (Whereupon, the document referred to  
23 as Praise Media Exhibit No. 12 was  
24 marked for identification.)

25                               REDIRECT EXAMINATION

1 BY MR. KELLY:

2 Q And I ask the witness -- I'm going to show the  
3 witness the third page I wanted to mark for identification as  
4 Praise No. 12 and ask her if she recognizes the signature of  
5 the affiant?

6 A Yes.

7 Q And, and do you, do you know that to be the signa-  
8 ture of Eugene R. Washington, your former husband?

9 A Yes.

10 MR. KELLY: Okay. Your Honor, I would ask that this  
11 be admitted into evidence.

12 JUDGE FRYSIK: Hearing no objection, I'll receive  
13 it.

14 (Whereupon, the document marked for  
15 identification as Praise Media  
16 Exhibit No. 12 was received into  
17 evidence.)

18 MR. KELLY: May I have just a moment, Your Honor,  
19 now and I will see if I can't -- I may even decide I have no  
20 questions. I just need to take a look and think about it for  
21 a second.

22 JUDGE FRYSIK: Sure.

23 MR. ZAUNER: Your Honor, there's just one other  
24 thing that has come to mind, just a single question while  
25 counsel is looking? May I?

1 JUDGE FRYSIK: All right. I hope we have his  
2 attention while --

3 MR. KELLY: I -- yeah. You can go ahead and ask.  
4 I'm listening.

5 RECROSS-EXAMINATION

6 BY MR. ZAUNER:

7 Q Am I correct, Mrs. Washington, in that to date no  
8 transfer application has been filed with the Commission in  
9 connection with that -- in connection with Praise Media's  
10 purchase of the assets and perhaps license of Dr. Wren -- from  
11 Dr. Wren and Mr. Jones?

12 A My attorney could answer that. I'm not sure if they  
13 have executed that document.

14 MR. KELLY: It's -- I think -- I covered that on my  
15 direct examination yesterday, counsel.

16 MR. ZAUNER: Okay.

17 MR. KELLY: I think the answer -- well, her testi-  
18 mony speaks for itself. I could perhaps clear that up with  
19 this -- with the following question.

20 MR. ZAUNER: Well, could we even have a stipulation  
21 on that --

22 MR. KELLY: Yeah. So far as I can tell, an FCC Form  
23 314, Application to Assign the License from Pine Tree Media,  
24 Inc., to anyone else in the world has not been filed.

25 MR. ZAUNER: Yeah, we would join in that. That's



1 our understanding also, Your Honor.

2 MR. KELLY: That's what -- that's the -- based on  
3 the files that I have been provided. I would like to clear up  
4 one matter that, that occurred just a few minutes ago.

5 REDIRECT EXAMINATION

6 BY MR. KELLY:

7 Q Ms. Washington, with respect to the attorney Kenneth  
8 L. Kilgore, is, is he in fact an attorney at law?

9 A Yes, he is.

10 Q Is he licensed to practice in the State of Texas?

11 A Yes, he is.

12 Q Okay. And what city does he maintain his office in?

13 A Dallas, Texas.

14 Q Okay. And did you enter into a retainer agreement  
15 with him?

16 A Yes, I did.

17 Q Okay. I can show -- just to show -- and do you, do  
18 you require the document to recall what date you entered into  
19 this agreement?

20 A I didn't know what date.

21 MR. KELLY: Okay. If I can -- I'll show it to  
22 counsel.

23 MR. ZAUNER: Okay. Yeah, just let me take a quick  
24 peek at it.

25 (Pause.)

1 MR. KELLY: If I can approach the witness, Your  
2 Honor?

3 BY MR. KELLY:

4 Q Take a look at this item that's entitled Fee  
5 Statement. When did you enter into that retainer agreement  
6 with Mr. Kilgore?

7 A After I talked to Mr. Shook and he told me that I  
8 was going to need legal representation for all of that -- and  
9 of this -- that was going on.

10 Q Okay. Mr. Shook is James Shook of the Federal  
11 Communications Commission, Enforcement Division?

12 A That's correct.

13 Q Okay. And what is the date on this retainer with  
14 Mr. Kilgore?

15 A 11/9/93.

16 Q In other words, November the 9th, 1993?

17 A That's correct. He said I needed to get something  
18 filed.

19 Q Okay. Well, Mr. -- and do you recall when it was  
20 that you retained Alan -- Mr. Alan C. Campbell, a member of  
21 the District of Columbia Bar?

22 A I'm not sure exactly what date it was, but it was  
23 after Mr. Kilgore had filed the wrong information.

24 Q Okay. Do you know how it was that you got Mr.  
25 Campbell's name?

1 A I got it through Christopher Holt.

2 Q And Christopher Holt is who?

3 A A FCC attorney.

4 Q Okay. In Washington?

5 A That's correct.

6 Q Okay. And how did -- how were you placed in touch  
7 with Mr. Holt?

8 A I hired a consultant to, I hired a consultant to  
9 help me with the radio station because I needed it, I needed  
10 it to come up to compliance and working properly, which was  
11 Alvin Jones.

12 (Pause, asides.)

13 BY MR. KELLY:

14 Q And then, and then it was, then it was Mr. Holt, who  
15 was with a firm called -- at the time called Mullins Rhyne  
16 Emmons and Topel, is that correct?

17 A Right. He's stopped working for them --

18 Q Okay. And he referred you to Mr. Campbell?

19 A That's correct.

20 Q Okay. And that would have been when, sometime in  
21 early 1994? If you remember. I'm not trying to put words in  
22 your mouth.

23 A Okay. Approximately.

24 Q Okay. And the record will reflect when Mr. Campbell  
25 filed an appearance in this case, I, I presume.

1           A     I'm sure I have something in my --

2           MR. KELLY:  If I can have just another moment here,

3 Your Honor?

4           (Pause.)

5           MR. KELLY:  Your Honor, I have no further questions.

6           JUDGE FRYSIAK:  All right.  Thank you.  Bureau is

7 finished?

8           MR. ZAUNER:  We have nothing further, Your Honor.

9           JUDGE FRYSIAK:  All right.  Would you guys help me?

10 I haven't marked one exhibit for Praise Media, and that's

11 Exhibit No. 7.  Can you --

12           MR. KELLY:  Seven is -- I just had my fingers on it

13 here, Your Honor.  Seven is the letter on the stationery of

14 KARW to the Commission dated September 13, 1994.

15           JUDGE FRYSIAK:  Okay.

16           MR. KELLY:  That is a one-page document.

17           JUDGE FRYSIAK:  All right.  I've got it.  Thank you

18 very much.  Okay.  All right.  If there's nothing further, I,

19 I will close the record to the extent that the Mass Media

20 Bureau has the opportunity to depose individuals that it

21 noticed for cross-examination which have not been produced by

22 Praise Media and to offer that as, as exhibits or, in the

23 alternative, to have a further hearing with these witnesses

24 present offering direct testimony.

25           MR. ZAUNER:  Also, Your Honor, that the Bureau --

1 JUDGE FRYSIAK: And --

2 MR. ZAUNER: -- requested --

3 JUDGE FRYSIAK: -- my further direction is that the  
4 hearing is -- record is closed except for the documents to be  
5 submitted which have been identified as the hearing has been  
6 going on, documents to be produced by Praise Media and direct-  
7 ed to Mass Media Bureau.

8 MR. KELLY: And we've, we've agreed that that date  
9 now is Thursday, March 30.

10 JUDGE FRYSIAK: March 30th.

11 MR. KELLY: Thank you, Your Honor.

12 MR. ZAUNER: Your Honor, I don't like to ask for  
13 something that you -- might be against my own interest in a  
14 way, but when we get these documents we're going to have to,  
15 to look through them and it may be necessary that we may want  
16 to supplement the record in some way with those documents.

17 JUDGE FRYSIAK: Yes.

18 MR. ZAUNER: Perhaps we should set a date by which  
19 the Bureau would notify Your Honor and opposing counsel of, of  
20 whether it intends to take any further action or, or do some-  
21 thing further?

22 JUDGE FRYSIAK: The record will be open until you  
23 have this opportunity to examine those --

24 MR. ZAUNER: Okay.

25 JUDGE FRYSIAK: -- those things. Okay? For all,

1 all other purposes, the record is closed. I'd like to try the  
2 opportunity to examine the people that have been noticed and  
3 that have been not produced for cross-examination. You have  
4 this latitude. And to introduce into the record any documents  
5 that you may receive from Praise Media that you have requested  
6 in the course of this proceeding, which are to be produced by  
7 March 30th. So, the record is closed for all -- for any other  
8 purpose. I guess we'll have a problem of setting the date of  
9 filing, of filing Proposed Findings. We certainly have to  
10 give you an opportunity to do this. So, I don't know whether  
11 to hold that in abeyance or --

12 MR. KELLY: I think that would be a good thing to  
13 do, is hold it in abeyance, and we can -- once Mr. Zauner has  
14 seen what we are going to give him and then he makes the  
15 decision as to what he is going to do next, if anything, he  
16 and I can come to a reasonable agreement, like 45 or 60 days  
17 in the future after we have -- you know, he's seen everything  
18 and he's made his decision as to --

19 JUDGE FRYSIK: Forty-five days would be the time  
20 that would be required by our rules. So, that when you decide  
21 that the time is propitious, why, at that point let me know  
22 and we'll set a date for the filing of Proposed Findings.

23 MR. KELLY: Thank you, Your Honor.

24 JUDGE FRYSIK: Thank you for your cooperation.  
25 It's a difficult case. I appreciate -- from -- you know, it's

1 difficult from both sides. But we're looking for the right  
2 decision here. Thank you very much for your cooperation.

3 MR. ZAUNER: Thank you.

4 (Whereupon, at 2:55 p.m. on Wednesday, March 22,  
5 1995, the hearing was closed subject to the rulings therein.)  
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**CERTIFICATE OF REPORTER, TRANSCRIBER, AND PROOFREADER**

Pine Tree Media, Inc.  
Name

93-265  
Docket No.

Washington, DC  
Place

March 22, 1995  
Date

We, the undersigned, do hereby certify that the foregoing pages, numbers 155 through 301, inclusive, are the true, accurate and complete transcript prepared from the reporting by Marykae Fleishman in attendance at the above identified proceeding, in accordance with applicable provisions of the current Federal Communications Commission's professional verbatim reporting and transcription Statement of Work and have verified the accuracy of the transcript by (1) comparing the typewritten transcript against the reporting or recording accomplished at the proceeding and (2) comparing the final proofed typewritten transcript against the reporting or recording accomplished at the proceeding.

3/31/95  
Date

Diana Hallman  
Diana Hallman, Transcriber  
Free State Reporting, Inc.

4/3/95  
Date

Debbie Serio  
Debbie Serio, Proofreader  
Free State Reporting, Inc.

4/3/95  
Date

Marykae Fleishman  
Marykae Fleishman, Reporter  
Free State Reporting, Inc.